

## Message Text

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ACTION VO-03

INFO OCT-01 ARA-06 ISO-00 L-03 SCA-01 EB-08 COME-00  
CIAE-00 INR-07 NSAE-00 INSE-00 TRSE-00 SY-05 DHA-02  
/036 W

-----220524Z 001878 /15

R 212003Z JAN 77  
FM AMEMBASSY KINGSTON  
TO SECSTATE WASHDC 3810

C O N F I D E N T I A L KINGSTON 0349

E.O. 11652: XGDS-3  
TAGS: CVIS, PFOR, JM, US  
SUBJECT: VISAS: POTENTIAL POLITICAL PROBLEMS ARISING FROM ISSUANCE  
OF "INVESTOR" VISAS

1. PRIME MINISTER MANLEY, IN THE COURSE OF HIS JANUARY 19  
STATEMENT (SEPTEL) ON JAMAICA'S ECONOMIC PROBLEMS AND HIS  
GOVERNMENT'S AUSTERITY MEASURES, STATED INTER ALIA THAT LEGIS-  
LATION AND REGULATIONS WOULD BE ENACTED TO WIDEN RANGE OF  
"ECONOMIC CRIMES", AND TO IMPOSE STIFFER PENALTIES FOR ALL  
SUCH CRIMES. SPECIFICALLY, THERE WILL BE MANDATORY PRISON  
SENTENCES FOR ILLEGAL EXPORT OF CURRENCY. MOREOVER FURTHER  
LEGISLATION WILL BE ENACTED WHICH WILL REQUIRE LIQUIDATION  
OF ALL FOREIGN ASSETS INCLUDING TANGIBLE AND REAL PROPERTY  
(WITH RARE EXCEPTIONS BASED ON HARDSHIP OR HUMANITARIAN  
GROUNDS), AND REPATRIATION TO JAMAICA OF THE PROCEEDS;  
EVASION OF FOREGOING WILL REPRESENT A MAJOR "ECONOMIC CRIME".

2. AS A PRACTICAL MATTER, MANY JAMAICANS ARE ALREADY IN  
VIOLATION IN ONE FORM OR ANOTHER OF EXISTING AND  
PROPOSED NEW ECONOMIC CONTROLS. AS A POLITICAL MATTER  
WE HAVE ABSOLUTELY NO DOUBT THAT ENFORCEMENT WILL BE  
SELECTIVE, AND DIRECTED AGAINST THE OPPOSITION AND  
OTHER NON-SUPPORTERS OF MANLEY'S ACCELERATING IMPLEMEN-  
TATION OF "DEMOCRATIC SOCIALISM".

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3. THE IMPLICATIONS FOR OUR VISA OPERATION ARE SERIOUS.  
OF THE 26,000 ACTIVE IV CASES NOW ON FILE IN OUR VISA  
UNIT, PERHAPS FIVE PERCENT FALL WITHIN THE INVESTOR  
CATEGORY, I.E., THE APPLICANT HAS ASSETS IN THE U.S.  
IN VIOLATION OF EITHER EXISTING OR PROPOSED NEW CONTROLS.  
MANY OF THESE CASES ARE HIGHLY SENSITIVE FROM A POLITICAL  
POINT OF VIEW AND ARE BEING HANDLED ON A CONFIDENTIAL

BASIS WITH A SEPARATE FILING SYSTEM.

4. OUR CONCERN IS THAT NEARLY EVERY ISSUANCE OF AN INVESTOR VISA FROM NOW ON WILL, FROM THE JAMAICAN POINT OF VIEW, BE SEEN AS ACTIVE USG ASSISTANCE IN THE COMMISSION OF A "MAJOR ECONOMIC CRIME" AGAINST THE "PEOPLE, GOVERNMENT AND STATE OF JAMAICA". WE BELIEVE THERE IS A STRONG POSSIBILITY THAT THE GOJ MAY, IN THE COURSE OF PROSECUTING INDIVIDUAL CASES (WHEN IT IS KNOWN AN INVESTOR VISA HAS BEEN ISSUED OR IS BEING PROCESSED BY US) PUBLICLY CHARGE THIS EMBASSY WITH SUCH COLLUSION. IT COULD EVEN GO SO FAR AS TO DECLARE PERSONA NON GRATA A RESPONSIBLE VISA OFFICER. MOREOVER, THERE IS A STRONG POSSIBILITY JAMAICAN AUTHORITIES WILL MAKE A SPECIAL EFFORT TO LINK US TO SUCH CRIMES. (PAST YEAR WAS CHARACTERIZED BY GOJ CHARGES OF COLLUSION BETWEEN U.S. AND JAMAICAN CONSERVATIVES IN EFFORT TO DESTABILIZE ECONOMY OF JAMAICA.) RECENTLY WE HAD TO DISMISS WITHOUT NOTICE ONE JAMAICAN LOCAL EMPLOYEE WHO WAS CAUGHT RED-HANDED PASSING INFORMATION FROM OUR IMMIGRANT VISA FILES TO THE JAMAICAN FINANCIAL INTELLIGENCE UNIT. WE MUST ASSUME THAT OTHER EFFORTS ARE BEING MADE TO PENETRATE OUR VISA SECTION TO COLLECT INTELLIGENCE ON EVASION OF CONTROLS. IN ALL PROBABILITY SOME LEAKS ALREADY EXIST. GIVEN THE KIND OF PHYSICAL SHAKEDOWNS OF DEPARTING JAMAICANS THAT ALREADY OCCUR AT THE AIRPORTS, THERE IS ALSO EVERY REASON TO EXPECT THAT SOONER OR LATER THE IMMIGRANT VISA PACKET OF A JAMAICAN IMMIGRANT INVESTOR WILL BE CONFIDENTIAL

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OPENED, AND THE INVESTOR EVIDENCE CONTAINED THEREIN USED TO INDICT THE CONCERNED JAMAICAN, AS WELL AS THIS EMBASSY (IN POLITICAL TERMS) OF AN "UNFRIENDLY ACT".

5. GIVEN THE POTENTIAL THREAT TO OUR POLITICAL INTERESTS HERE, WE BELIEVE DEPARTMENT MUST GIVE CONSIDERATION TO OUR LIMITING THE ISSUANCE OF INVESTOR VISAS TO THOSE PERSONS WHO CAN (FOR HUMANITARIAN OR OTHER REASONS) OBTAIN THE CONSENT OF THE GOJ TO INVEST IN THE U.S. IN ALL OTHER CASES WE CAN ONLY SUGGEST TO THE APPLICANT THAT HE ATTEMPT TO APPLY ELSEWHERE (E.G. TORONTO OR NASSAU) WHERE THE PRESENTATION OF EVIDENCE AND PROCESSING OF THE VISA WOULD NOT BE LIKELY TO EXPOSE USG TO CHARGES OF COLLUSION IN ECONOMIC CRIME. IN SOME INSTANCES, QUALIFICATION FOR ANOTHER TYPE OF IMMIGRANT STATUS WILL BE POSSIBLE. IN A VERY FEW CASES IT MAY BE IN THE U.S. INTEREST (OR DESIRABLE FOR HUMANITARIAN REASONS) TO ADVISE

THE APPLICANT OF ADJUSTMENT OF STATUS PROCEDURES  
WITHIN THE U.S.

6. ACTION REQUESTED: DEPARTMENT'S EARLY ADVICE ON  
FOREGOING IS REQUESTED WITH INPUTS FROM NOT ONLY THE  
VISA OFFICE BUT ALSO FROM ARA/CAR. IN THE MEANTIME,  
WE ARE PLACING IN SECURE VAULT THE MORE SENSITIVE OF  
OUR INVESTOR APPLICANT FILES AGAINST THE POSSIBILITY  
(REAL IF REMOTE) OF A POLICE-INSPIRED BREAK-IN TO OUR  
VISA OFFICE.  
GERARD

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## Message Attributes

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**Channel Indicators:** n/a  
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**Disposition Date:** 22 May 2009  
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**To:** STATE  
**Type:** TE  
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**Review Markings:**  
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